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## The below described is SIGNED.

(ts)

**Dated: April 07, 2011** 

WILLIAM T. THURMAN
U.S. Bankruptcy Chief Judge

Olistrict of Utali

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File No: 35737

# IN THE UNITED STATES BANKRUPTCY COURT

# FOR THE DISTRICT OF UTAH

### **CENTRAL DIVISION**

In re:

Bankruptcy Case No. 11-21206 WTT

MICHAEL KERRY BIRD AND MEGAN
BIRD

Chapter 7

Debtors.

ORDER TERMINATING AUTOMATIC
STAY AS TO U.S. BANK, N.A., IT'S
SUCCESSORS AND/OR ASSIGNS
[Filed Electronically]

Based upon the Motion for Relief, previously filed with the Court, and good cause appearing, the Court does hereby,

#### **ORDER AS FOLLOWS:**

That the automatic stay with respect to the following described real property:

All of Lot 1 of Birch Creek Subdivision according to the official plat thereof filed as Entry No. 237831 and as Map No. 315, in the office of the Juab County Recorder; Commonly known as 1360 South Old Highway 91, Mona, UT 84645;

be and is hereby modified and terminated as of the date hereof to permit U.S. Bank, N.A., it's Successors and/or Assigns to pursue its rights and remedies against the said property under applicable law.

It is further ORDERED that Secured Creditor and/or its successors and assigns may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout/loss mitigation agreement. Any such agreement shall be non-recourse unless included in a reaffirmation agreement. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other Chapter of Title 11 of the United States code.

END OF ORDER

#### MAILING CERTIFICATE

I hereby certify that I mailed true and correct copies of the foregoing Order Terminating Automatic Stay by first class mail, postage prepaid, to each of the following:

Michael Kerry Bird and Megan Bird P.O. Box 627 Mona, UT 84645 Debtors

Robert S. Payne Via ECF Debtors' Attorney

Kevin J. Bird Via ECF Chapter 7 Trustee

Benjamin J. Mann HALLIDAY & WATKINS, P.C. Via ECF

Date:

U.S. Bankruptcy Court Deputy Clerk